

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 206 final.

Brussels, 16 June 1978.

Proposal for a COUNCIL REGULATION (EEC)

laying down for 1978 measures for the conservation and management of
fishery resources including the establishment of catch quotas
for herring stocks

(submitted to the Council by the Commission)

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EXPLANATORY MEMORANDUM

The most recent scientific assessments confirm that the disquieting situation with regard to the majority of herring stocks persists.

They also show that the situation has deteriorated further, particularly as regards the herring stock in ICES zone VIa fishing for which it is recommended be suspended forthwith until 31 December 1978.

It has become apparent that only immediate action involving strict conservation measures can halt the overfishing of this stock, allowing it to be replenished and thus assuring future catch possibilities.

To avoid the risks of fishing activity being diverted from one herring stock to another and in the interest of a coherent conservation and management policy for this species, it is recommended that appropriate measures be adopted simultaneously in respect of each of the stocks.

Because of the urgency, the measures must be adopted on an interim basis pursuant to Article 103 of the EEC Treaty.

It should be noted that it may prove necessary to adopt other measures in the light of the results expected shortly, of ongoing scientific assessments concerning the state of certain stocks; the Commission will present appropriate proposals to the Council based on these results.

PROPOSAL FOR COUNCIL REGULATION (EEC)

laying down for 1978 measures for the conservation and management of fishery resources including the establishment of catch quotas for herring stocks.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas the situation with regard to herring stocks in the Community continues to give cause for concern,

Whereas the most recent scientific studies show that the situation has deteriorated further to such an extent that it is recommended that fishing be suspended forthwith in zone VIa,

Whereas emergency measures should be adopted in respect of these stocks to ensure the protection of resources and to safeguard future catch potential,

Whereas, because of the risks of fishing activity being diverted from one stock to another, appropriate measures should be adopted at the same time for each of the herring stocks to ensure the coherence of the policy on the conservation and management of herring fisheries,

Whereas application of these measures cannot be delayed and they should therefore be adopted on an interim basis pursuant to Article 103 of the Treaty, pending subsequent incorporation into the common policy,

HAS ADOPTED THIS REGULATION :

Article 1

The total permitted catches per herring stock or group of stocks in waters under the sovereignty or jurisdiction of the Member States and covered by the Community rules on fisheries, and the share available to the Community, shall, for 1978, be as laid down in Annex I.

Article 2

Direct fishing for herring shall be prohibited for Community fishermen until 31 December 1978 in division VIa as defined by the International Council for the Exploration of the Sea.

Article 3

Direct fishing for herring shall be prohibited in the Irish Sea, Division VII la, as defined by the International Council for the Exploration of the Sea until 31 December 1978 within 12 miles from the base line off the east coast of Northern Ireland and Ireland between 53°20' N and 54°40' N.

Article 4

Direct fishing for herring shall be prohibited for Community fishermen from 1 October to 19 November 1978 in that part of Division VII (a) as defined by the International Council for the Exploration of the Sea surrounding the Isle of Man and in that between the Isle of Man and the west coast of the United Kingdom.

This zone shall be delimited by a line running from Carmel Head (Anglesey) to the Chicken Rock Light (Calf of Man), thence running clockwise round the Isle of Man, at a distance of 12 miles from the baselines, as far as Point of Ayre (Isle of Man), then eastward to St Bees Head (United Kingdom).

Article 5

1. Without prejudice to Articles 2 to 4, the catch quotas allocated to each Member State on an annual basis for direct fishing for herring from certain stocks or groups of stocks in certain sub-zones and divisions as defined by the International Council for the Exploration of the Sea shall, for 1978, be as laid down in Annex II.

2. Catches of herring from these stocks during the period from 1 January 1978 until the entry into force of this Regulation shall be counted against the quotas fixed in paragraph 1.

Article 6

1. The catching of herring shall be authorised as by-catches in the course of direct fishing for other species in the zones referred to in Articles 2 and 3 up to a limit by weight in respect of each voyage of 10 % for catches of sprat and 5 % respectively for catches of Norwegian pout, sand eels and other species. In the Kattegat, these limits shall be 15 % and 5 % respectively.

2. By-catches in the North Sea and the Skagerrak, calculated on an annual basis, may not, however, exceed 10 400 tonnes for Denmark, 1 150 tonnes for the United Kingdom, 285 tonnes for Germany and 165 tonnes for the other Member States.

Article 7

Member States shall take all necessary steps to ensure compliance with the provisions of this Regulation within the maritime waters under their sovereignty or jurisdiction and covered by the Community rules on fisheries.

Member States shall report at regular intervals to the Commission on the checks carried out by them.

The reports shall mention in each case the type and nationality of the vessel, any infringements recorded and the measures taken as a result.

Article 8

This Regulation shall enter into force on 1 July 1978.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

- Done at Brussels,

ANNEX I

TOTAL ALLOWABLE CATCH FOR 1978 BY STOCK AND BY SECTOR-ALLOCATIONS
TO THE COMMUNITY FOR 1978

Species	ICES Division or ICNAF Zone	TAC or total catch 1976 (in tonnes)	TAC total 1978 (in tonnes)	Proportions available to the Community for 78
Herring	III a Skagerrak	14,010 *1	14,500	6,000 *2
Herring	III a Kattegat	73,115 *1	50,000	28,000
Herring	III b, c, d	372,442 *1	173,800	38,300
Herring	IV, VII d	160,000	0	0
Herring	VI a *5	136,000	64,000 (a)	55,600 (b)
Herring	VII a *3 (Mourne)	6,594 *1	0	0
Herring	VII a (Man + Mourne) (offshore) *3	11,573 *1	12,500	12,500
Herring	VII b, c *4	20,372 *1	14,010	14,010
Herring	VII e, f	1,479 *1	0	0
Herring	VII g-k *6 (except Bantry Bay)	1/7/1975-30/6/76 25,000 1/7/1976-30/6/77 16,800	0	0
Herring	VII j (Bantry Bay only)	-	2,500	2,500

* 1 : Total catch (no TAC available).

* 2 : Herring fishing shall be prohibited in Skagerrak (ICES Division IIIa to the north of a line joining Skagen to the Pater Noster Lighthouse) from 1 January to 31 March 1978 and from 1 October to 31 December 1978.

* 3 : Reduced by the zone delimited under *6.

* 4 : Except for Donegal Bay.

* 5 : Donegal Bay included.

* 6 : Increased by zone bounded : - to north by latitude 52°30' North
- to south by latitude 52°00' North
- to west by coast of Ireland
- to east by coast of United Kingdom.

(a) : Reduced to zero with effect from 1.6.1978.

(b) : Fishing prohibited from 1.6.1978.

ANNEX II

INDIVIDUAL QUOTAS FOR MEMBER STATES

- 1 -

STOCK			Member State	Quota 1978	
Species	Geographical Regions	ICES Division			
HERRING	Skagerrak	III a North	Belgium		
			Denmark		6,000
			Fed. Rep. Germany		
			France		
			Ireland		
			Italy		
			Luxembourg		
			Netherlands		
			United Kingdom		
			Available for Member States		
			EEC Total		6,000
HERRING	Kattegat	III a South	Belgium		
			Denmark		27,900
			Fed. Rep. Germany		100
			France		
			Ireland		
			Italy		
			Luxembourg		
			Netherlands		
			United Kingdom		
			Available for Member States		
			EEC Total		28,000
HERRING	Baltic	III b, c, d	Belgium		
			Denmark	21,610	2,943 (1)
			Fed. Rep. Germany	16,690	2,557 (1)
			France		
			Ireland		
			Italy		
			Luxembourg		
			Netherlands		
			United Kingdom		
			Available for Member States		
			EEC Total	38,300	5,500 (1)

(1) Maximum quantity to be included in the quota in the left hand column, which may be fished in the maritime waters falling under the sovereignty or jurisdiction of the Kingdom of Sweden.

STOCK			Member State	Quota 1978
Species	Geographical Regions	ICES Division		
HERRING	North Sea Eastern English Channel	IV, VII d	Belgium	
			Denmark	
			Fed. Rep. Germany	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			United Kingdom	
			Available for Member States	
			EEC Total	0
HERRING	West of Scotland (Donegal Bay included)	VI a	Belgium	
			Denmark	200
			Fed. Rep. Germany	3,700
			France	1,200
			Ireland	8,500
			Italy	
			Luxembourg	
			Netherlands	3,000
			United Kingdom	39,000
			Available for Member States	
			EEC Total	55,600 (a)
HERRING	Irish Sea	Mourne Stock (1) (VII a) *	Belgium	
			Denmark	
			Fed. Rep. Germany	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			United Kingdom	
			Available for Member States	
			EEC Total	0

(a) Fishing prohibited from 1.6.1978.

(1) Fishing prohibited within 12 miles zone from the base line off the East coast of Ireland and Northern Ireland between 53°20' N and 54°40' N.

* VII a is reduced by the area added to the Celtic Sea as shown on page 4.

STOCK			Member State	Quota 1978
Species	Geographical Regions	ICES Division		
HERRING	Irish Sea Man + Mourne (offshore)	VII a *	Belgium	
			Denmark	
			Fed. Rep. Germany	
			France	366
			Ireland	2,146
			Italy	
			Luxembourg	
			Netherlands	715
			United Kingdom	9,273
			Available for Member States	
			EEC Total	12,500
HERRING	West Ireland (except Donegal Bay)	VII b, c	Belgium	
			Denmark	
			Fed. Rep. Germany	10
			France	
			Ireland	10,000
			Italy	
			Luxembourg	
			Netherlands	4,000
			United Kingdom	
			Available for Member States	
			EEC Total	14,010
HERRING	Western English Channel Bristol Channel	VII e, f	Belgium	
			Denmark	
			Fed. Rep. Germany	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			United Kingdom	
			Available for Member States	
			EEC Total	0

* VII a is reduced by the area added to the Celtic Sea as shown on page 4.
Reference is to herring caught round the Isle of Man and in summer between the Isle of Man and the coast of Northern Ireland outside the 12-mile limit.

STOCK			Member State	Quota 1978
Species	Geographical Regions	ICES Division		
HERRING	Celtic Sea	VII g-k * (but Bantry Bay excluded)	Belgium	
			Denmark	
			Fed. Rep. Germany	
			France	
			Ireland	
			Italy	
			Luxembourg	
			Netherlands	
			United Kingdom	
			Available for Member States	
			EEC Total	0
HERRING	Southwest Ireland	VII j (Bantry Bay only)	Belgium	
			Denmark	
			Fed. Rep. Germany	
			France	
			Ireland	2,500
			Italy	
			Luxembourg	
			Netherlands	
			United Kingdom	
			Available for Member States	
			EEC Total	2,500

*increased by zone bounded : - to north by latitude 52°30' N;
 - to south by latitude 52°00' N;
 - to west by coast of Ireland;
 - to east by coast of United Kingdom.